

EXHIBIT 20

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<p style="text-align: right;">Page 53</p> <p>1 N. PELLEGRINI</p> <p>2 Q. Were you familiar with her work</p> <p>3 performance at all before she joined your</p> <p>4 group?</p> <p>5 A. Through discussions with my</p> <p>6 colleagues at PaineWebber, yes.</p> <p>7 Q. Who did you have discussions with</p> <p>8 at PaineWebber about Ms. Mentor's performance?</p> <p>9 A. I can't remember, but just senior</p> <p>10 folks within the department.</p> <p>11 Q. And what did they say about her?</p> <p>12 A. She was good.</p> <p>13 Q. Is that all they said?</p> <p>14 A. She was good, very good. They</p> <p>15 said she was good.</p> <p>16 Q. That's it, good, very good?</p> <p>17 A. Good.</p> <p>18 Q. Did you ask about what clients she</p> <p>19 covered?</p> <p>20 A. No.</p> <p>21 Q. Did you ask her what clients she</p> <p>22 had?</p> <p>23 MR. TURNBULL: Objection to form.</p> <p>24 A. No.</p> <p>25 Q. And someone told you she was very</p>	<p style="text-align: right;">Page 55</p> <p>1 N. PELLEGRINI</p> <p>2 was an AVP. One of the two.</p> <p>3 Q. How long did you work with Nadine</p> <p>4 when she was in your group?</p> <p>5 A. From the time that she joined. I</p> <p>6 mean, from the time that she relocated. I</p> <p>7 mean, she -- yeah, from the time that she</p> <p>8 relocated.</p> <p>9 Q. Do you know how long that was?</p> <p>10 A. What did we establish there in</p> <p>11 terms of relocation?</p> <p>12 Q. I'm not sure. You gave a few</p> <p>13 dates, so.</p> <p>14 A. Whatever it was. I mean, it's on</p> <p>15 the record. That's a factual piece of data</p> <p>16 you can get your hands on.</p> <p>17 Q. When did you leave UBS?</p> <p>18 A. June of 2005.</p> <p>19 Q. What were Nadine's job duties when</p> <p>20 she worked for your group at UBS?</p> <p>21 A. Basically providing support to</p> <p>22 bankers that were covering clients.</p> <p>23 Q. What kind of support would she</p> <p>24 provide?</p> <p>25 A. Assisting them in processing</p>
<p style="text-align: right;">Page 54</p> <p>1 N. PELLEGRINI</p> <p>2 good, so that was --</p> <p>3 A. More than one.</p> <p>4 Q. How many people said she was good?</p> <p>5 A. I can't remember, but there was a</p> <p>6 few.</p> <p>7 Q. What's a few: four, five?</p> <p>8 A. Three, four. I can't remember,</p> <p>9 but it was more than one.</p> <p>10 Q. And they all said the same thing,</p> <p>11 that she was good?</p> <p>12 A. She was good.</p> <p>13 Q. And based on four, five people</p> <p>14 telling you that she was good, you agreed to</p> <p>15 take her on in your group?</p> <p>16 MR. TURNBULL: Objection to form.</p> <p>17 A. Including the department head,</p> <p>18 yes.</p> <p>19 Q. Did you ever hear anything</p> <p>20 negative about her from anyone at PaineWebber?</p> <p>21 A. No.</p> <p>22 Q. Now, when she joined your group,</p> <p>23 what was her position?</p> <p>24 A. To the best of my recollection, it</p> <p>25 was either associate or AVP, but I think she</p>	<p style="text-align: right;">Page 56</p> <p>1 N. PELLEGRINI</p> <p>2 financings.</p> <p>3 Q. What does that mean?</p> <p>4 A. That means that you go through,</p> <p>5 once you are hired you go through a certain</p> <p>6 process of transacting business and she would</p> <p>7 assist whoever, you know, she would assist</p> <p>8 various bankers in transacting business.</p> <p>9 Q. And is that true for whatever</p> <p>10 position she held, either associate or AVP at</p> <p>11 UBS?</p> <p>12 A. Yes.</p> <p>13 Q. And what was her work performance</p> <p>14 like when you worked with her at UBS?</p> <p>15 A. It was fine.</p> <p>16 Q. It was just fine?</p> <p>17 MR. TURNBULL: Objection.</p> <p>18 A. There were no complaints.</p> <p>19 Q. Did you have any complaints?</p> <p>20 A. No.</p> <p>21 Q. Was she doing an excellent job</p> <p>22 there?</p> <p>23 A. In her role she was doing a good</p> <p>24 job.</p> <p>25 Q. Did you ever give her, evaluate</p>

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1 N. PELLEGRINI
2 her performance at UBS?
3 A. I'm sure I did.
4 Q. And are the evaluations based on a
5 numerical scale?
6 A. I can't remember.
7 Q. When you evaluated her, did you
8 record that she simply met expectations?
9 A. I can't remember. I can't
10 remember, but they were not poor evaluations.
11 I can remember that, but I just can't remember
12 what I evaluated her at.
13 Q. Did she meet your expectations?
14 A. Yes.
15 Q. Did she exceed your expectations?
16 A. We're talking about at UBS?
17 Q. Yes.
18 A. I can't remember.
19 Q. What clients did she provide
20 support on at UBS?
21 A. Wherever she was needed.
22 Q. Were there any specific clients
23 she worked on?
24 A. She worked with bankers who
25 covered specific clients. We have an office

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1 N. PELLEGRINI
2 in south Florida and she worked with that
3 banker.
4 Q. When you say cover, what do you
5 mean by cover?
6 A. Have responsibility for as a, you
7 know, as a senior banker.
8 Q. Did she ever cover any clients by
9 herself at UBS?
10 A. Not to my knowledge, no. Not that
11 I can remember by herself.
12 Q. Did she cover the State of
13 Connecticut while at UBS?
14 A. She may have prior to relocating
15 to Florida, but I can't remember what group
16 she was in, but that may be one of the clients
17 that she covered.
18 Q. Did she cover Broward County while
19 at UBS?
20 A. She didn't, she assisted -- she
21 worked on Broward County accounts when she was
22 in my group.
23 Q. Did she have any clients of her
24 own?
25 A. At UBS?

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1 N. PELLEGRINI
2 Q. Yes.
3 A. No.
4 Q. Did you have any clients of your
5 own?
6 A. Yes.
7 Q. Who?
8 A. That I was responsible for,
9 Orlando-Orange County Expressway Authority.
10 Q. I'm sorry?
11 A. Orlando-Orange County Expressway
12 Authority.
13 Q. Is that one client?
14 A. That's one client. I was
15 responsible for all clients as manager of the
16 franchise.
17 Q. Well, what does responsible mean?
18 A. Wherever I could assist in helping
19 originate business and getting us hired, I
20 would do that.
21 Q. Now, when you mean originate
22 business, do you mean originate transactions?
23 A. Correct. And what I mean by
24 originating transactions is, being engaged by
25 the entity to represent them, the same way

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1 N. PELLEGRINI
2 that you would as a lawyer.
3 Q. Now, whose client was the
4 Orlando-Orange County Expressway Authority?
5 A. Mine.
6 Q. So when you say -- what do you
7 mean -- you said you were responsible for it?
8 A. Right. I was the lead banker in
9 terms of representing PaineWebber as far as
10 transacting their business. We were hired and
11 I was responsible for that particular client.
12 Now, we had a team of people on
13 there because we just wanted to make sure that
14 the platform and all resources, that the
15 platform was brought to the table on behalf of
16 our client.
17 Q. Did anyone else at UBS get to
18 claim that the Orlando-Orange County
19 Expressway Authority was their client as well?
20 A. My other team member who I had who
21 wasn't as senior as me was Jim Calpin.
22 Q. Could he claim that this entity
23 was his client as well?
24 A. He could claim that, but in the
25 final analysis, you know, the client moved

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1 N. PELLEGRINI
2 that's something they have to finance it
3 first, so they hire us to come in and
4 structure a financing to get the funding to
5 build the school project or this airport or
6 this runway or this segment of a toll road.
7 Q. So the key is to get hired?
8 A. Yes.
9 Q. Because you don't do this for
10 free?
11 A. That's correct.
12 Q. So it is important to generate
13 business from the client to solve whatever
14 problems they have?
15 A. That is correct.
16 Q. That's an important part of your
17 business, correct?
18 A. It is, yes.
19 Q. It is the only thing keeping you
20 in business, correct?
21 A. That's right, yeah.
22 Can I take a break? Is that
23 possible?
24 MR. DATOO: Absolutely, yes.
25 THE VIDEOGRAPHER: It is a good

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1 N. PELLEGRINI
2 time to change the disk. We are now
3 going off the record at approximately
4 10:53 and this will be the end of disk
5 No. 1.
6 (Recess taken.)
7 THE VIDEOGRAPHER: This is the
8 beginning of disk No. 2 in the
9 Pellegrini deposition. We are now going
10 back on the record approximately 11:06
11 a.m.
12 BY MR. DATOO:
13 Q. Now, I think I already asked you
14 this question before, but did Nadine cover
15 Broward County while at UBS?
16 A. She worked on Broward County, a
17 Broward County transaction, I think.
18 Q. In the same role that she worked
19 on other clients?
20 A. In a support role.
21 Q. Now, you testified earlier that
22 Nadine was not in a revenue-generating
23 position at UBS, is that correct?
24 A. Correct.
25 Q. Why is that?

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1 N. PELLEGRINI
2 A. The way that the department was
3 structured was that it was supported by
4 analysts and associates, and they were not
5 considered officers of the company, and once
6 you became an officer, then there were revenue
7 expectations associated with that.
8 Q. I believe you also testified
9 earlier that you weren't sure if Nadine was an
10 associate or an assistant vice president, an
11 AVP?
12 A. Correct. My recollection at
13 PaineWebber is that, in order to have, to be
14 considered an officer, it was, I think it was
15 vice president and above. I don't think it
16 was -- yeah, vice president and above. Right.
17 At that point you could sign
18 documents. You were authorized to sign
19 documents on behalf of the firm.
20 Q. And you had revenue generation
21 expectations?
22 A. I can't remember if it was vice
23 president or first vice president. If it was
24 vice president, it was -- the expectations
25 weren't that great.

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1 N. PELLEGRINI
2 Q. What does the term developed
3 business mean to you?
4 A. Business that, in the law world, a
5 house account.
6 Q. I'm sorry? I just didn't hear
7 you.
8 A. In your world, it would be an
9 account you have in the law firm.
10 Q. How about in your world?
11 A. Business that, clients that we
12 represent, that you are responsible for
13 representing.
14 Q. How does the term developed fit
15 into that?
16 A. Similar to your world where you
17 bring in a client, the client becomes -- is a
18 client of the firm, you are responsible for
19 representing the client, you developed that
20 business, you brought that client in, it is
21 the firm's client but it is also your client,
22 so that's what I mean by developed business.
23 Q. So someone bringing in a client --
24 A. And representing them.
25 Q. And representing them. So it's



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1 N. PELLEGRINI
2 McCarthy is?
3 A. No.
4 Q. Have you ever worked with the
5 diversity committee?
6 A. No.
7 Q. Do you know what it does?
8 A. No.
9 Q. Have you ever heard of a saying at
10 Citigroup that if there is a layoff, it's
11 women and children first?
12 A. No.
13 Q. Have you ever heard a similar
14 saying in sum and substance?
15 MR. TURNBULL: Objection to form.
16 A. No.
17 Q. When did Nadine Mentor start
18 working at Citigroup?
19 A. It was either June or July of
20 2005.
21 Q. So she came over about a month or
22 two after you started?
23 A. I don't think it was that long. I
24 can't remember, but it was probably was in a
25 month or a couple of weeks or three weeks,

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1 N. PELLEGRINI
2 or -- yeah.
3 Q. Did you recruit anybody else from
4 UBS --
5 A. Yes.
6 Q. -- in addition to Nadine?
7 A. Yes.
8 Q. Who?
9 A. Mark Weinberg.
10 Q. Anyone else?
11 A. Michael Baldwin.
12 Q. Anyone else?
13 A. Linda Vanderpere.
14 Q. I'm sorry, what was that name,
15 Linda --
16 A. Vanderpere, V-A-N-D-E-R-P-E-R-E.
17 Q. Who was Linda Vanderpere?
18 A. She was at UBS. She worked in my
19 group out of New York.
20 Q. What was her job title at UBS?
21 A. I think Linda was a director.
22 Q. And did you recruit Linda to work
23 in your group at Citigroup?
24 A. Yes. She -- well, she was going
25 to be in New York assigned to my group, and

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1 N. PELLEGRINI
2 also do some Northeast work.
3 Q. And do some what?
4 A. Work in the Northeast group.
5 Q. And when did Linda Vanderpere
6 start working at Citigroup?
7 A. She did not. She declined to
8 come.
9 Q. She stayed at UBS?
10 A. She did.
11 Q. And when did Mr. Weinberg start
12 working at Citigroup?
13 A. About the same time that Nadine
14 came over.
15 Q. And how about Mr. Baldwin?
16 A. He -- a couple of weeks, three
17 weeks before Nadine. I can't remember exactly
18 when, but it was mid-June 2005.
19 Q. And you recruited all three of
20 them?
21 A. Yes.
22 Q. And when Nadine started working at
23 Citigroup, what was her position?
24 A. VP, I think. I think that was a
25 requirement of bringing -- her coming over,

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1 N. PELLEGRINI
2 not a requirement but I think she wanted to be
3 vice president in order to come over. I think
4 that was the case.
5 MR. TURNBULL: Are you all right?
6 THE WITNESS: Yeah, I'm okay. I
7 may want a break in ten minutes or so.
8 MR. DATOO: Do you want to take a
9 minute?
10 THE WITNESS: No, I'm fine.
11 Q. So Nadine wanted to be a VP, that
12 was part of her requirement to work for
13 Citigroup?
14 A. I think that was the case, if I
15 remember correctly.
16 Q. Now, I think you testified earlier
17 that you wanted Nadine to work for you at
18 Citigroup because she had great potential as
19 support?
20 A. She just had great potential
21 period.
22 Q. So you saw potential in her to
23 develop business?
24 A. Yes.
25 Q. To generate transactions?

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1 N. PELLEGRINI

2 A. I made the decision and

3 recommended to Frank, so I don't know.

4 Q. Did you tell Frank that you were

5 hiring her?

6 A. No. I asked Frank to hire her.

7 Let me clarify that just quickly.

8 A condition of me coming over was that certain

9 people within my group at UBS would have the

10 opportunity to come with me. Nadine was one

11 of those people. Linda Vanderpere was one of

12 those people. Mike Baldwin was one of those

13 people. Mark Weinberg was one of those

14 people.

15 If they decided they didn't want

16 to come, that was their decision, but I made

17 it a requirement that they have the

18 opportunity. Period. End of statement.

19 Q. Do you recall what Nadine's

20 compensation was in her first year at

21 Citigroup?

22 A. I think it was north of 400,000

23 total.

24 Q. Do you know what her base salary

25 was?

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1 N. PELLEGRINI

2 A. I can't remember.

3 MR. TURNBULL: Why don't we take a

4 5-minute break?

5 MR. DATOO: Sure.

6 THE WITNESS: Thank you.

7 THE VIDEOGRAPHER: We are now off

8 the record approximately 11:56 a.m.

9 (Recess taken.)

10 (Plaintiffs' Exhibit 379,

11 CGMI_BART 013427 and 013444 marked

12 for identification, as of this

13 date.)

14 THE VIDEOGRAPHER: We are now

15 going back on the record approximately

16 12:08 p.m.

17 BY MR. DATOO:

18 Q. Mr. Pellegrini, you have in front

19 of you a document, a two-page document that's

20 been marked as Plaintiffs' Exhibit 379. It

21 contains the first page which is Bates stamped

22 CGMI_BART 013427 and the second page is marked

23 013444.

24 MR. TURNBULL: I just want to note

25 for the record that, although you said

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1 N. PELLEGRINI

2 it is a two-page document, it is two

3 pages, I don't think it's from the same

4 document.

5 Q. Mr. Pellegrini, have you seen this

6 document or these two pages before?

7 A. I can't remember.

8 Q. Can you take a look at the first

9 page.

10 A. Yes.

11 Q. Are these accounts that Nadine

12 covered while at Citigroup?

13 A. Based upon my recollection, yes,

14 these were accounts that she was -- she

15 covered along with other team members.

16 Q. She was part of a team?

17 A. Correct.

18 Q. Did the team vary for each client?

19 A. Yes.

20 Q. If you can take a look at the

21 second page.

22 A. Yes.

23 Q. Is this a list of clients that

24 Nadine covered while at Citigroup?

25 A. Along with others, as a team

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2 member.

3 Q. Now, do you know if there are any

4 clients that she covered that are not on

5 either of these two pages?

6 A. I can't remember.

7 Q. Now, does a team have a set

8 compensation?

9 A. No.

10 Q. And how do you determine who works

11 on a team to cover a client?

12 A. Whoever has a relationship or

13 technical skill that can contribute.

14 Q. So a team could consist of one

15 person or more?

16 A. More.

17 Q. Did Nadine cover any of these

18 clients by herself?

19 A. I can't remember. I don't think

20 so.

21 Q. How about Broward County, did she

22 cover that by herself?

23 A. No.

24 Q. How about Miami-Dade County, did

25 she cover that by herself?



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<p style="text-align: right;">Page 109</p> <p>1 N. PELLEGRINI</p> <p>2 A. Miami-Dade County is a rotational</p> <p>3 account.</p> <p>4 Q. A what account?</p> <p>5 A. Rotational account. Which means</p> <p>6 that pretty much every firm on Wall Street is</p> <p>7 in their rotation. So they just go through</p> <p>8 the rotation, and that particular account she</p> <p>9 may have covered it by herself. But I can't</p> <p>10 remember specifically. I don't think so. I</p> <p>11 think it was Todd Holder covered that with</p> <p>12 her.</p> <p>13 Q. How about Miami-Dade schools, did</p> <p>14 Nadine cover that account by herself?</p> <p>15 A. Definitely not.</p> <p>16 Q. Who else covered that with her?</p> <p>17 A. Mike Baldwin.</p> <p>18 Q. Is that because Mike Baldwin</p> <p>19 primarily covered schools?</p> <p>20 A. Pretty much our school practice,</p> <p>21 yes.</p> <p>22 Q. So why would Nadine team with Mike</p> <p>23 to cover Miami-Dade schools?</p> <p>24 A. Because it was in South Florida.</p> <p>25 Q. Solely by geography?</p>	<p style="text-align: right;">Page 111</p> <p>1 N. PELLEGRINI</p> <p>2 Islands accounts by herself?</p> <p>3 That would be on the second page.</p> <p>4 A. She covered them with Jim Haddon.</p> <p>5 I can't remember whether or not Jim was still</p> <p>6 with us or not.</p> <p>7 Q. Who was Jim Haddon?</p> <p>8 A. He was a managing director at</p> <p>9 Citi.</p> <p>10 And I can't remember; she may have</p> <p>11 covered it with Guy Logan who was a director.</p> <p>12 Q. Do you know when Jim Haddon left?</p> <p>13 A. I don't. I can't remember.</p> <p>14 Q. Was Jim Haddon a part of your</p> <p>15 group?</p> <p>16 A. No.</p> <p>17 Q. What group was he a part of?</p> <p>18 A. He ran the infrastructure group ---</p> <p>19 co-headed the infrastructure group.</p> <p>20 Q. So if Jim left before Nadine,</p> <p>21 would Nadine have covered the Virgin Islands</p> <p>22 accounts by herself?</p> <p>23 MR. TURNBULL: Objection to form.</p> <p>24 A. Unless guy covered it with her.</p> <p>25 Q. Why would guy -- Guy Logan are you</p>
<p style="text-align: right;">Page 110</p> <p>1 N. PELLEGRINI</p> <p>2 A. Yes.</p> <p>3 Q. Did she have any relationships at</p> <p>4 Miami-Dade schools?</p> <p>5 A. Not that I'm aware of.</p> <p>6 Q. Did she cover it for technical</p> <p>7 skills?</p> <p>8 A. It was strategic as much as</p> <p>9 anything else.</p> <p>10 Q. What do you mean by that?</p> <p>11 A. We were at some point hoping to</p> <p>12 open a South Florida office and relocate</p> <p>13 Nadine. She had, you know, she had the south</p> <p>14 Florida area.</p> <p>15 Q. So you wanted her to build a</p> <p>16 relationship with the schools?</p> <p>17 A. We were hoping to, for that to</p> <p>18 happen.</p> <p>19 Q. Did she build a relationship with</p> <p>20 the schools before she was laid off?</p> <p>21 A. I don't -- I don't know.</p> <p>22 Q. Did Nadine cover Miami-Dade</p> <p>23 Expressway Authority by herself?</p> <p>24 A. No.</p> <p>25 Q. Did she cover any of the Virgin</p>	<p style="text-align: right;">Page 112</p> <p>1 N. PELLEGRINI</p> <p>2 referring to?</p> <p>3 A. Yes.</p> <p>4 Q. Why would Guy --</p> <p>5 A. I think he had some relationships</p> <p>6 there. I think. I'm having a hard time</p> <p>7 remembering whether he was -- I know he had</p> <p>8 some relationships there. I can't remember</p> <p>9 whether he was covering with her or with Jim</p> <p>10 or whether Jim left. It's the time frame.</p> <p>11 Q. Now, with respect to, going back</p> <p>12 to the first page, Miami-Dade County?</p> <p>13 A. Yes.</p> <p>14 Q. Whose client was that?</p> <p>15 A. That was, I think I just explained</p> <p>16 that to you. That was a rotational account.</p> <p>17 So Nadine was on the team and Todd Holder from</p> <p>18 what I can remember.</p> <p>19 Q. Well, who brought in the client?</p> <p>20 A. They submitted an RFP, we got</p> <p>21 selected and that was it.</p> <p>22 Q. And so Miami-Dade County is</p> <p>23 developed business for Nadine?</p> <p>24 A. Miami-Dade County is a rotational</p> <p>25 account. She was assigned to it, to help</p>

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<p style="text-align: right;">Page 121</p> <p>1 N. PELLEGRINI</p> <p>2 A. And the reason I considered --</p> <p>3 Q. Mr. Pellegrini, let me finish.</p> <p>4 A. Um-hum.</p> <p>5 Q. You just testified that you</p> <p>6 considered it developed business for you. And</p> <p>7 then you testified that it wasn't because you</p> <p>8 didn't do a transaction.</p> <p>9 So my question to you is, why</p> <p>10 wasn't it considered developed business for</p> <p>11 Nadine but it was considered developed</p> <p>12 business for you?</p> <p>13 MR. TURNBULL: Objection to form.</p> <p>14 A. Because I did a transaction.</p> <p>15 Q. How about prior to 2008?</p> <p>16 A. There were no transactions to do.</p> <p>17 Q. But did you still consider it</p> <p>18 developed business to you between '05 and '08?</p> <p>19 A. Yes.</p> <p>20 Q. But you didn't do any transactions</p> <p>21 for it, correct?</p> <p>22 A. But I felt if they did a</p> <p>23 transaction, I would do it.</p> <p>24 Q. And would Nadine have done it?</p> <p>25 A. I don't know.</p>	<p style="text-align: right;">Page 123</p> <p>1 N. PELLEGRINI</p> <p>2 Q. So why wouldn't she have worked on</p> <p>3 the transaction?</p> <p>4 MR. TURNBULL: Objection.</p> <p>5 A. She may not have wanted to.</p> <p>6 Q. She may not have wanted to.</p> <p>7 A. I don't know.</p> <p>8 Q. Okay, thank you. Mr.</p> <p>9 Pellegrini --</p> <p>10 A. Right.</p> <p>11 Q. -- City of North Miami was that</p> <p>12 considered developed business for Nadine?</p> <p>13 A. We didn't do any business for the</p> <p>14 City of North Miami, end of story.</p> <p>15 Q. Was it considered developed</p> <p>16 business for anybody?</p> <p>17 A. We didn't do any business. How</p> <p>18 can it be considered --</p> <p>19 Q. Mr. Pellegrini, you have got to</p> <p>20 answer my question. You have to answer my</p> <p>21 question, otherwise you are going to miss your</p> <p>22 dinner appointment --</p> <p>23 A. I'm sorry.</p> <p>24 Q. -- which I want to get you to.</p> <p>25 A. Okay, okay.</p>
<p style="text-align: right;">Page 122</p> <p>1 N. PELLEGRINI</p> <p>2 Q. Was she on the team?</p> <p>3 A. Yes.</p> <p>4 Q. So she would have done the</p> <p>5 transaction with you, correct?</p> <p>6 MR. TURNBULL: Objection to form.</p> <p>7 A. Maybe; maybe not.</p> <p>8 Q. Well, she was on the team,</p> <p>9 correct?</p> <p>10 A. Yes.</p> <p>11 MR. TURNBULL: Objection: asked</p> <p>12 and answered.</p> <p>13 Q. She was on the team, correct?</p> <p>14 A. Yes.</p> <p>15 Q. Why wouldn't she have done it?</p> <p>16 MR. TURNBULL: Objection to form.</p> <p>17 A. Who knows if she would have been</p> <p>18 there.</p> <p>19 Q. Well, she was there from '05 to</p> <p>20 '08, correct?</p> <p>21 A. We also had another member on that</p> <p>22 team.</p> <p>23 Q. So Nadine may not have been on,</p> <p>24 you would have taken her off the team?</p> <p>25 A. I didn't say that.</p>	<p style="text-align: right;">Page 124</p> <p>1 N. PELLEGRINI</p> <p>2 Q. But you've got to answer my</p> <p>3 question.</p> <p>4 A. I'm just a little frustrated,</p> <p>5 that's all. Sorry.</p> <p>6 Q. So am I.</p> <p>7 City of North Miami, was that</p> <p>8 considered developed business for Nadine?</p> <p>9 A. No.</p> <p>10 Q. Why not?</p> <p>11 A. Because we didn't do any business.</p> <p>12 Q. Was it considered developed</p> <p>13 business for anybody?</p> <p>14 A. No.</p> <p>15 Q. City of North Miami CRA was that</p> <p>16 considered developed business for Nadine?</p> <p>17 A. No.</p> <p>18 Q. Why not?</p> <p>19 A. Because we never did any business.</p> <p>20 Q. Was that considered developed</p> <p>21 business for anybody?</p> <p>22 A. No.</p> <p>23 Q. Broward --</p> <p>24 (Discussion off written record.)</p> <p>25 Q. Broward County, was that</p>

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1 N. PELLEGRINI
2 considered developed business for Nadine?
3 A. I'm sorry, which one?
4 Q. Broward County.
5 A. Nadine -- I would say yes.
6 Q. And why is that?
7 A. Because she covered Broward
8 County.
9 Q. Did she cover it as part of the
10 team?
11 A. Yes.
12 Q. Why was that considered developed
13 business to her, though?
14 A. It was also considered developed
15 business for other members of the team.
16 Q. Why was it considered developed
17 business to her, though?
18 A. Because she spent time there, did
19 a good job and there was business to do.
20 That's the reason why.
21 Q. And did Citigroup do any
22 transactions for Broward County while Nadine
23 was employed?
24 A. Did we do any transactions while
25 she was employed? Technically, no.

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1 N. PELLEGRINI
2 Q. So there were no transactions done
3 for Broward County?
4 A. There were.
5 Q. While Nadine was employed?
6 A. Technically, no.
7 Q. What do you mean "technically,
8 no"?
9 A. I think Nadine wasn't employed
10 when we did the transaction.
11 Q. So why was it considered developed
12 business for Nadine?
13 A. Because we were appointed,
14 recommended -- we were being recommended on a
15 transaction that she was involved in covering.
16 Q. And was this the deal worth
17 approximately \$180 million?
18 A. What type?
19 MR. TURNBULL: Objection to the
20 form.
21 Q. The summer of --
22 A. But what kind of deal was it?
23 Q. What deal did you do for Broward
24 County?
25 A. Then? It was a water and

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1 N. PELLEGRINI
2 wastewater.
3 Q. And when was that?
4 A. It was in late 2008 as I recall.
5 Q. And was that deal a result of --
6 A. No, it was 2009 I apologize. I
7 can't remember, but it was within the time
8 frame.
9 Q. Was that while Nadine was still
10 working there?
11 MR. TURNBULL: Objection: asked
12 and answered.
13 A. We were being -- she was -- we
14 were being recommended by the staff, but it
15 hadn't been approved by the board, but when
16 the recommendation was made, I think Nadine
17 was still working with us, yes.
18 Q. And was it considered developed
19 business for her because of her efforts?
20 A. Yes.
21 Q. Would Broward County -- did
22 Broward County follow her out the door when
23 she left?
24 A. No.
25 Q. So under one of your definitions

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1 N. PELLEGRINI
2 of developed business, why did you consider it
3 developed business for Nadine if it didn't
4 follow her out the door?
5 A. Because she was -- she had a role
6 in originating that business.
7 Q. So now does developed business
8 also mean having a role in generating
9 business?
10 MR. TURNBULL: Objection to form.
11 A. No. I think there are two
12 definitions, if I may.
13 Q. Please.
14 A. One is if they follow you out the
15 door, and what impact it would have if you
16 left and -- you know, on your business in
17 general.
18 In the final analysis, it didn't
19 have that big an impact on us because we were
20 able to do the business.
21 Q. And what was the second definition
22 of developed business?
23 A. The impact it would have on our
24 whole, on our business if someone left.
25 Q. But all of this is tied to someone



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1 N. PELLEGRINI
2 Holder he was a director and senior person
3 with us, who they both covered Miami-Dade
4 together. So I would say given that
5 rotational thing, I would say, you know,
6 that -- I mean, that would be it.
7 Q. How about Broward County?
8 A. Which one?
9 Q. Both of them.
10 A. Broward County School District,
11 School Board?
12 Q. Yes.
13 A. No.
14 Q. Didn't you testify earlier that
15 Broward County was considered developed
16 business for Nadine?
17 MR. TURNBULL: No, that misstates
18 testimony. Objection.
19 A. Broward County and Broward County
20 School Board are two separate entities.
21 Q. Okay. Was Nadine involved in a
22 transaction with the Virgin Islands in 2008?
23 A. I don't know if she was involved
24 in -- I don't know if it was that time frame.
25 I know she covered the Virgin Islands, and we

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1 N. PELLEGRINI
2 talked about that.
3 Q. Did your group, was your group
4 involved in a \$400 million transaction
5 involving the Virgin Islands in 2008?
6 A. My group?
7 Q. Yes.
8 A. Not my group, no.
9 Q. Was any group involved with a
10 transaction with the Virgin Islands in 2008?
11 A. Citi may have done a deal in, you
12 know, that's possible we did a deal in 2008.
13 Q. Do you know if Nadine was involved
14 in that deal before she left?
15 MR. TURNBULL: Objection to form.
16 A. I don't know. I don't know. I
17 don't know if we did one or not. I can't
18 remember.
19 (Discussion off the record.)
20 Q. Just looking at the document, the
21 third transaction from the top?
22 A. Yes. Which one, now, which
23 document, 397?
24 Q. 397.
25 A. Okay.

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1 N. PELLEGRINI
2 Q. Where it says Connecticut, State
3 of General Obligation Bond 308, do you see
4 that under the transaction column?
5 A. Yes.
6 Q. The figure associated with that
7 transaction, is that 2 billion 276 million
8 578 -- what number is that?
9 A. \$2,276,578,269?
10 Q. Is that --
11 A. That was the size of the
12 transaction.
13 Q. Is that considered -- was that one
14 of the largest transactions for the group in
15 2008?
16 A. Well, this was the Northeast group
17 that did this -- yeah, I would say it was one
18 of the largest ones, yeah, absolutely. And we
19 were co-manager on that as you see. You can
20 see the revenue generated from it was actually
21 less than where we acted as senior manager on
22 some of the other ones.
23 THE WITNESS: Do you want to
24 change that now?
25 MR. DATOO: Sorry. Let's go off

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1 N. PELLEGRINI
2 the record.
3 THE VIDEOGRAPHER: Off the record
4 at approximately 2:08 p.m. This is the
5 end of disk No. 3.
6 (Recess taken.)
7 THE VIDEOGRAPHER: This is the
8 beginning of disk No. 4. We're going
9 back on the record approximately 2:18
10 p.m.
11 BY MR. DATOO:
12 Q. Mr. Pellegrini, if I can direct
13 your attention to Plaintiffs' Exhibit 397.
14 A. Yes.
15 Q. In the column marked Staffing,
16 Product Groups and Regions, do you see that?
17 A. Yes.
18 Q. There are a list of names of
19 people who are involved in the transaction,
20 correct?
21 A. Yes.
22 Q. There appears to be an asterisk or
23 a star next to some of the names. Do you know
24 what that designates?
25 A. My understanding is that



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1 N. PELLEGRINI

2 Q. She was vice president, Nadine was

3 a vice president for the calendar year 2007,

4 correct?

5 A. I think so.

6 Q. Now, if you can turn to the second

7 page.

8 A. Yes.

9 Q. In the box entitled Manager

10 Comments.

11 A. Yes.

12 Q. Do you see that?

13 A. Yes.

14 Q. And do you, if I can direct your

15 attention to the second sentence:

16 "We are very pleased with this

17 progression and Nadine is on course to

18 becoming one of the top public finance

19 professionals at the firm."

20 Did you write that?

21 A. Yes.

22 Q. Was that true when you wrote it?

23 A. Yup.

24 Q. Is every statement in this

25 evaluation true?

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1 N. PELLEGRINI

2 A. Yeah.

3 MR. TURNBULL: By him?

4 A. By me.

5 MR. TURNBULL: Is that what you

6 meant?

7 MR. DATOO: Yes.

8 A. By me.

9 Q. Is there anyone else who commented

10 in this evaluation?

11 A. On this one?

12 MR. TURNBULL: Nadine.

13 A. Nadine.

14 Q. Sorry, just under --

15 MR. DATOO: Anything he knows.

16 Q. Was there anyone other than Nadine

17 and you that wrote on this evaluation?

18 A. No, this was me.

19 Q. Now, when you said in that

20 sentence "we," who did you mean by we?

21 A. I, you know, I refer to my group

22 in the plural, you know, we. We as a group,

23 we as -- yeah.

24 Q. Now you said Nadine, you also said

25 Nadine is on course for becoming one of the

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1 N. PELLEGRINI

2 top public finance professionals at the firm.

3 Were you referring to all of the

4 professionals in the PFD?

5 A. I'm trying to think back.

6 Yeah, I think so.

7 Q. And you go on to write:

8 "This is demonstrated by the

9 respect she has earned by her client base."

10 Nadine had a client base?

11 A. Well, the clients that she, you

12 know, we went through where she had the

13 asterisks and who she was responsible for, and

14 they liked her.

15 Q. So based on her client base, you

16 came to the determination that she was on

17 course to becoming one of the top public

18 finance professionals at Citigroup?

19 A. That's one of the aspects.

20 Q. Okay.

21 A. Her attitude, her energy, her

22 interpersonal skills.

23 Q. If you can turn to the page marked

24 719.

25 A. Yes.

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1 N. PELLEGRINI

2 Q. If you look at the box marked

3 Manager Comments. Do you see that?

4 A. Yes.

5 Q. You wrote in the second sentence:

6 "She has had several successes

7 such as the City of Hollywood CRA financing,

8 Miami-Dade County SRE financing, Miami-Dade

9 school financing --

10 A. Um-hum.

11 Q. -- as well as taking the

12 leadership role of the Virgin Islands WAPA

13 financing when asked to do so."

14 A. Um-hum.

15 Q. What did you mean when you wrote

16 Nadine had several successes with respect to

17 these clients?

18 A. Well, she was an integral part of

19 the team and she deserved credit for the

20 success that we had in representing those

21 clients.

22 Q. Turn to the last page of the

23 document.

24 A. Yup.

25 Q. You rated Nadine a 1 which is

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1 N. PELLEGRINI
2 exceptional, correct?
3 A. Correct.
4 Q. That's the highest rating you can
5 give someone, correct?
6 A. Correct.
7 Q. Under part 3 in the box marked
8 Manager Overall Comments, you wrote:
9 Nadine has made great progress
10 this year. In recognition of this Nadine will
11 be assuming a much higher level of
12 responsibility in the new year."
13 What did you mean by Nadine will
14 be assuming a much higher level of
15 responsibility in the new year?
16 A. Just what it says, she was going
17 to go to the next level as far as professional
18 development so.
19 Q. And what was the next level?
20 A. I recommended her for promotion to
21 director.
22 Q. Why?
23 A. For a couple -- well, one was
24 because of her past performance, but because
25 of additional responsibility she was willing

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1 N. PELLEGRINI
2 to assume.
3 Q. What were those additional
4 responsibilities?
5 A. She was going to become a member
6 of, for lack of a better term, this new team
7 that was going to be developed to cover big
8 cities through the country, she was going to
9 be traveling more. And in recognition of that
10 and her willingness to take on that
11 responsibility with a very good attitude I
12 just made up my mind, you know, that she was
13 to be promoted because she was going to be,
14 you know, dealing with some high level public
15 officials, and she had -- in retrospect, it
16 may have been a mistake, maybe one year early,
17 but I felt that it was deserving based upon
18 her willingness to do that. And, you know,
19 just a good attitude in the past in terms of
20 being -- you know, and she developed very
21 nicely. And as a vice president she was
22 coming along.
23 You know, I have always kind of
24 questioned whether or not I should have done
25 that, but only because she may have been able

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1 N. PELLEGRINI
2 to use one more year development as a vice
3 president, but given that new responsibility,
4 I thought it would be a positive -- something
5 positive that she would grab ahold of and
6 that's why I recommended her.
7 Q. Was there a concern at the time
8 you promoted her about the amount of developed
9 business she had?
10 A. I mean, she could have had more.
11 Q. Is there a reason why you didn't
12 note that in her 2007 evaluation?
13 A. No.
14 Q. You just didn't put it in?
15 A. It could have been viewed as a
16 negative.
17 Q. Do you only put positive things in
18 people's evaluations?
19 A. In this case I did because of what
20 she was being asked to do.
21 Q. So the exceptional rating you gave
22 her wasn't truthful, was it?
23 A. It was truthful. Remember, this
24 was as a vice president and it was truthful.
25 Q. Right. As a vice president, was

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1 N. PELLEGRINI
2 there any concern with the amount of developed
3 business she had?
4 A. Not as a vice president, no.
5 Q. And you recommended her for
6 promotion early, didn't you?
7 A. I did.
8 Q. Is it rare for someone to be
9 promoted early to a director?
10 MR. TURNBULL: Objection.
11 A. I don't know. I really don't.
12 Q. Well, how long does it usually
13 take for someone to get promoted from VP to
14 director?
15 A. It depends.
16 Q. What does it depend on?
17 A. How well the person develops.
18 Q. So if they develop well, they get
19 promoted earlier?
20 A. On schedule, usually.
21 Q. What's the schedule?
22 A. Three, four years.
23 Q. And she was promoted after 2-1/2
24 years, correct?
25 A. She also came in, yeah, she also



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<p style="text-align: right;">Page 217</p> <p>1 N. PELLEGRINI</p> <p>2 came -- and she wasn't even an AVP at UBS for</p> <p>3 two years. I mean, I think, if I remember</p> <p>4 correctly, it was shorter than that.</p> <p>5 Q. So that's a good thing for her,</p> <p>6 isn't it, being promoted that early?</p> <p>7 A. That was a condition of her coming</p> <p>8 over to Citi that she wanted to be a VP.</p> <p>9 Q. But being promoted to director was</p> <p>10 not a condition of her coming over, was it?</p> <p>11 A. Oh, no.</p> <p>12 Q. Now, as a director, what were her</p> <p>13 job duties?</p> <p>14 A. At that point, you know, you have</p> <p>15 more responsibility in terms of bringing in</p> <p>16 business. You are out there more alone. You</p> <p>17 are out there in a leadership role.</p> <p>18 Q. Did you ever have a conversation</p> <p>19 with Nadine prior to promotion about the</p> <p>20 amount of developed business she had?</p> <p>21 A. In my recollection I had a</p> <p>22 conversation with her. I'm not sure it was</p> <p>23 like, specifically about the amount of</p> <p>24 developed business she had.</p> <p>25 Q. What was the conversation about?</p>	<p style="text-align: right;">Page 219</p> <p>1 N. PELLEGRINI</p> <p>2 again because I couldn't follow you. So I'm</p> <p>3 asking you again.</p> <p>4 A. The developed business was, you</p> <p>5 know, was limited, but she had tremendous</p> <p>6 potential. Again, she was taking on a new</p> <p>7 responsibility.</p> <p>8 Q. Mr. Pellegrini, my question was</p> <p>9 how much developed business did she have at</p> <p>10 the point you promoted her, when you</p> <p>11 recommended her for promotion?</p> <p>12 A. Unless I look at that sheet again,</p> <p>13 I can't tell you.</p> <p>14 Q. But when you talk about developed</p> <p>15 business, are you talking in terms of number</p> <p>16 of clients, are you talking in terms of number</p> <p>17 of transactions, are you talking about in</p> <p>18 terms of size of transactions, what do you</p> <p>19 mean?</p> <p>20 MR. TURNBULL: Objection to form.</p> <p>21 A. The ability to originate the</p> <p>22 business, keep the business and have the</p> <p>23 clients just stay with you, that simple.</p> <p>24 MR. TURNBULL: Are you all right?</p> <p>25 Do you need a break?</p>
<p style="text-align: right;">Page 218</p> <p>1 N. PELLEGRINI</p> <p>2 A. That, look, this was to be a new</p> <p>3 role, that there were going to be new things</p> <p>4 that, you know, their expectations were going</p> <p>5 to be higher, and that, you know, she's going</p> <p>6 to be -- you know, with this new title comes</p> <p>7 accountability, accountability as far as being</p> <p>8 able to generate the business and do the</p> <p>9 business and keep the business. It is</p> <p>10 basically another level -- it is another</p> <p>11 level. It is a leadership level.</p> <p>12 Q. And at the time she was promoted,</p> <p>13 how much developed business did she have?</p> <p>14 A. Just what we went over.</p> <p>15 Q. When we say developed business,</p> <p>16 are we talking dollar value, are we talking</p> <p>17 number of clients, number of transactions,</p> <p>18 what do we mean?</p> <p>19 MR. TURNBULL: Objection to form.</p> <p>20 A. It wasn't -- just what we went</p> <p>21 over.</p> <p>22 Q. And what was that?</p> <p>23 A. What we went over on the previous</p> <p>24 sheet.</p> <p>25 Q. Okay. Why don't you just tell me</p>	<p style="text-align: right;">Page 220</p> <p>1 N. PELLEGRINI</p> <p>2 THE WITNESS: Yeah, could I have</p> <p>3 one more break?</p> <p>4 MR. DATOO: Sure.</p> <p>5 THE VIDEOGRAPHER: We are now</p> <p>6 going off the record at approximately</p> <p>7 3:16 p.m. This is the end of disk 4.</p> <p>8 (Recess taken.)</p> <p>9 THE VIDEOGRAPHER: This is the</p> <p>10 beginning of disk 5. We're going back</p> <p>11 on the record approximately 3:22 p.m.</p> <p>12 BY MR. DATOO:</p> <p>13 Q. Mr. Pellegrini, you mentioned a</p> <p>14 moment ago that you regretted promoting Nadine</p> <p>15 to director early. Is that correct?</p> <p>16 MR. TURNBULL: Objection.</p> <p>17 A. If that's what I said.</p> <p>18 Q. Did you regret promoting her early</p> <p>19 to director?</p> <p>20 A. I may have made a mistake. It may</p> <p>21 have been that it may have been premature.</p> <p>22 Q. Do you feel that she would not</p> <p>23 have been terminated had she remained vice</p> <p>24 president?</p> <p>25 A. I don't know.</p>

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<p style="text-align: right;">Page 221</p> <p>1 N. PELLEGRINI</p> <p>2 (Plaintiffs' Exhibit 361,</p> <p>3 document bearing CGMI_BART</p> <p>4 015387-89 marked for</p> <p>5 identification, as of this date.)</p> <p>6 Q. You have in front of you a</p> <p>7 document marked Plaintiffs' Exhibit 361. If</p> <p>8 you can turn to the last page.</p> <p>9 A. 361, yes.</p> <p>10 Q. Or even the bottom of the</p> <p>11 second-to-last page. It appears to be an</p> <p>12 e-mail from you to Frank Chin copying Bart</p> <p>13 Livolsi, dated November 8th, 2007.</p> <p>14 A. Okay.</p> <p>15 Q. Do you recall sending this e-mail?</p> <p>16 A. I don't recall it, but I'm sure I</p> <p>17 did.</p> <p>18 Q. Now, on the last page, the fourth</p> <p>19 paragraph, starting Nadine.</p> <p>20 A. Yes.</p> <p>21 Q. You wrote: "Nadine is ready to</p> <p>22 assume the role and responsibilities of a</p> <p>23 director --</p> <p>24 A. Um-hum.</p> <p>25 Q. -- and this promotion fits into</p>	<p style="text-align: right;">Page 223</p> <p>1 N. PELLEGRINI</p> <p>2 expressed an interest of being on the ground</p> <p>3 down there, and that was kind of the strategic</p> <p>4 vision we had.</p> <p>5 Q. And was she, was it your vision to</p> <p>6 have her head the office?</p> <p>7 A. I'm sorry?</p> <p>8 Q. Was it your vision to have her</p> <p>9 head the office?</p> <p>10 A. No, it would have been a satellite</p> <p>11 office of our Orlando office.</p> <p>12 Q. And would she have been running</p> <p>13 that satellite office?</p> <p>14 A. She would have been the only</p> <p>15 person in the office.</p> <p>16 Q. I'm sorry?</p> <p>17 A. She would have been the only</p> <p>18 person initially in the office, and then</p> <p>19 potentially an analyst.</p> <p>20 Q. Now, you also wrote you spoke to</p> <p>21 Bart and KJ, and they are aware that I'm</p> <p>22 recommending her for this promotion?</p> <p>23 A. Correct.</p> <p>24 Q. Who is KJ?</p> <p>25 A. Kristen Johanson.</p>
<p style="text-align: right;">Page 222</p> <p>1 N. PELLEGRINI</p> <p>2 the strategic goals, our business and her</p> <p>3 professional development."</p> <p>4 Do you see that?</p> <p>5 A. Yes.</p> <p>6 Q. So why didn't you express any</p> <p>7 reservations you may have had to Frank</p> <p>8 regarding Nadine's, amount of Nadine's</p> <p>9 developed business?</p> <p>10 MR. TURNBULL: Objection to form.</p> <p>11 A. I assumed she just had the time to</p> <p>12 grow into her role as a director.</p> <p>13 Q. Well, you said she was ready,</p> <p>14 didn't you?</p> <p>15 A. As a first-year director, but I</p> <p>16 think she would have been, you know, she would</p> <p>17 have had time.</p> <p>18 Q. Now, you wrote that her promotion</p> <p>19 fits into the strategic goals our business. I</p> <p>20 assume that means of our business?</p> <p>21 A. Right.</p> <p>22 Q. What strategic goals were you</p> <p>23 referring to?</p> <p>24 A. We had always contemplated opening</p> <p>25 a South Florida office and Nadine had always</p>	<p style="text-align: right;">Page 224</p> <p>1 N. PELLEGRINI</p> <p>2 Q. And why did you speak to Kristen</p> <p>3 Johanson?</p> <p>4 A. Because she was coordinating the</p> <p>5 promotion process within PFD, as I remember</p> <p>6 it.</p> <p>7 Q. Now, who approved Nadine's</p> <p>8 promotion to director?</p> <p>9 A. I think it was signed off -- it</p> <p>10 was signed off on by Frank and then ultimately</p> <p>11 HR had to approve it I think.</p> <p>12 Q. Do you know who the person was who</p> <p>13 made the decision to promote her?</p> <p>14 A. Me.</p> <p>15 Q. You made the decision, or you</p> <p>16 recommended her?</p> <p>17 A. It was me who made the decision to</p> <p>18 recommend her, and then it was Frank who had</p> <p>19 to sign off on it.</p> <p>20 Q. So Frank had to approve the</p> <p>21 promotion?</p> <p>22 A. He had to approve it, right. And</p> <p>23 then ultimately I think HR had to approve it.</p> <p>24 Q. Was David Brownstein involved?</p> <p>25 A. Not to my knowledge.</p>



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2 Q. Did you ever tell Nadine that she

3 was on track to becoming a managing director?

4 A. Not to my knowledge. One step at

5 a time.

6 Q. Now, at the time Nadine, just

7 before Nadine was promoted in the beginning of

8 2008, were there any other vice presidents in

9 your group?

10 A. I'm trying to go through the

11 names. Mark was either an AVP or a VP. He

12 may have been a VP. Weinberg.

13 Could you give me the names?

14 Q. I'll do my best. Mark Weinberg?

15 A. He may have been. And I can't

16 remember in 2008. He was either an AVP or a

17 VP.

18 Q. And did you recommend him for

19 promotion at the end of 2007?

20 A. No.

21 Q. Why not?

22 A. I didn't think he was ready.

23 Q. And what about --

24 A. He was doing -- I didn't think he

25 was ready.

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1 N. PELLEGRINI

2 Q. How about Robert --

3 A. Szostak?

4 Q. Yes.

5 A. No, he was an associate. No.

6 Q. He was an associate?

7 A. He may have been an AVP, but, no,

8 I did not recommend him. He wasn't ready.

9 Q. So I guess out of those three,

10 Nadine, Robert and Mark --

11 A. Was Robert a VP on there?

12 Q. I don't know.

13 A. I think he was an AVP. I think

14 Mark was VP.

15 Q. So what would be the next

16 promotion for Robert. Would it be from AVP to

17 VP?

18 A. Correct.

19 Q. And he wasn't ready for that

20 promotion?

21 A. He may have gotten promoted to VP

22 that year. I can't remember. He's very good.

23 Q. What's the difference between the

24 job duties of an AVP and a VP?

25 A. AVP is in the office doing a lot

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2 of processing, very similar to what your

3 associates would do in the law work.

4 Q. Is there a big difference between

5 an AVP and a VP?

6 MR. TURNBULL: Objection to form.

7 A. Slight.

8 Q. In terms of what?

9 A. Client interaction.

10 Q. So VP has more client interaction

11 than an AVP?

12 A. A little more, yes.

13 Q. Now, did Citigroup conduct layoffs

14 in December 2007 or January 2008?

15 A. I don't know the specific dates,

16 but I went through a lot of RIFs.

17 Q. But around that time, do you

18 recall there being a layoff, either end of

19 2007, early 2008, January?

20 A. There may have been. I mean, I

21 don't -- I can't remember, but if you could

22 give me something to jog my memory. I mean, I

23 know that we had to shut down the Georgia

24 office, but I don't know what time frame that

25 was. I can kind of tell you I went through --

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2 anyway.

3 Q. I'm going to do my best.

4 A. Okay.

5 (Plaintiffs' Exhibit 56,

6 document bearing Bates Nos.

7 CGMI_BART 15400-15404 marked for

8 identification, as of this date.)

9 Q. Here is a document that's marked

10 Plaintiffs' Exhibit 56.

11 A. Susan Castro.

12 Q. If you can turn to the

13 second-to-last page. Or the third page,

14 whatever is easier for you.

15 A. Second-to-the-last page?

16 Q. Yes. You know what, turn to the

17 third page. Probably the third page is

18 easier.

19 A. I got the third page. Let's see,

20 one -- cover, two, three, okay.

21 Q. It is marked 15402.

22 A. 15402, correct.

23 Q. If I could just direct your

24 attention to I guess the hierarchy beneath

25 you.



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<p style="text-align: right;">Page 233</p> <p>1 N. PELLEGRINI</p> <p>2 could go forward with. I mean, we had -- it</p> <p>3 was mandated we had to let certain people go,</p> <p>4 so who would have the least impact on our</p> <p>5 business.</p> <p>6 Q. Were you told to lay off a certain</p> <p>7 number of people?</p> <p>8 A. I don't remember.</p> <p>9 Q. Do you recall if you were told to</p> <p>10 reduce your -- reduce the salaries or total</p> <p>11 comp by a certain amount?</p> <p>12 A. I'm not sure, but I don't think</p> <p>13 so.</p> <p>14 Q. So why is it that three people</p> <p>15 were selected for layoff, and not more or</p> <p>16 less?</p> <p>17 MR. TURNBULL: Objection to form.</p> <p>18 A. In my region, I don't know the</p> <p>19 answer to that question.</p> <p>20 Q. Why was Lori Smith selected for</p> <p>21 layoff?</p> <p>22 A. Least amount of impact on our</p> <p>23 business going forward.</p> <p>24 Q. What does that mean?</p> <p>25 A. How much business are we going to</p>	<p style="text-align: right;">Page 235</p> <p>1 N. PELLEGRINI</p> <p>2 deciding who to select?</p> <p>3 MR. TURNBULL: Objection to form.</p> <p>4 A. Basically determine who is going</p> <p>5 to have the least amount of impact on</p> <p>6 business.</p> <p>7 Q. How do you determine that?</p> <p>8 A. Based upon relationships, what</p> <p>9 business they are doing, what clients they</p> <p>10 will be able to take with them.</p> <p>11 Q. And how do you come to that</p> <p>12 determination?</p> <p>13 A. Subjectives.</p> <p>14 Q. Do you look at any documents?</p> <p>15 A. You just know as a manager.</p> <p>16 Q. So you don't look at any</p> <p>17 documents?</p> <p>18 A. You looked at the forward</p> <p>19 calendar, who was working on what.</p> <p>20 Q. And is that what you --</p> <p>21 A. No. Subjectives.</p> <p>22 Q. So you look at the forward</p> <p>23 calendar?</p> <p>24 A. I didn't say that.</p> <p>25 Q. You just said you look at the</p>
<p style="text-align: right;">Page 234</p> <p>1 N. PELLEGRINI</p> <p>2 lose.</p> <p>3 Q. And how did you determine that?</p> <p>4 A. She was relatively new to the</p> <p>5 group.</p> <p>6 Q. How new was she?</p> <p>7 A. A year or two. I don't remember</p> <p>8 exactly.</p> <p>9 Q. Anyone else at that point in time</p> <p>10 that was, that had similar seniority?</p> <p>11 A. I'm sorry, I don't understand.</p> <p>12 Q. Was there anyone else in your</p> <p>13 group at that time that was only there for one</p> <p>14 or two years?</p> <p>15 A. No, not that I know of.</p> <p>16 Q. She was the newest member of the</p> <p>17 group?</p> <p>18 A. Pretty much.</p> <p>19 Q. Who else did you consider for</p> <p>20 layoff?</p> <p>21 A. I don't remember.</p> <p>22 Q. Did you consider everybody?</p> <p>23 A. Yeah, when that comes down,</p> <p>24 everybody's name is up, so.</p> <p>25 Q. And then what's your process in</p>	<p style="text-align: right;">Page 236</p> <p>1 N. PELLEGRINI</p> <p>2 forward calendar?</p> <p>3 A. I said you can look at the forward</p> <p>4 calendar.</p> <p>5 Q. You can. And did you look at the</p> <p>6 forward calendar?</p> <p>7 A. No.</p> <p>8 Q. And did you talk to anybody else?</p> <p>9 A. Yes.</p> <p>10 Q. Who do you speak to?</p> <p>11 MR. TURNBULL: Objection to form.</p> <p>12 A. Who I report in to. I spoke to</p> <p>13 people that I, that I report in to, to Bart.</p> <p>14 I can't remember if I spoke to Frank. Maybe.</p> <p>15 Q. And what did you speak to them</p> <p>16 about?</p> <p>17 A. Do I have to do this. I mean, I</p> <p>18 really was an advocate of trying to keep all</p> <p>19 my people, but it was spread throughout my</p> <p>20 department.</p> <p>21 Q. Well, I mean in terms of your</p> <p>22 selection criteria, do you speak to anyone</p> <p>23 about who to select?</p> <p>24 A. We talked about it.</p> <p>25 Q. Who?</p>